

## COMPLAINT

Docket No. \_\_\_\_\_

THE STATE OF TEXAS    }

398th DISTRICT COURT   }

COUNTY OF HIDALGO    }

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS

I, **Sergeant John Waits**, SOLEMNLY SWEAR THAT I HAVE GOOD REASON TO BELIEVE AND DO BELIEVE, THAT HERETOFORE, ON OR ABOUT THE **25TH** DAY OF **SEPTEMBER, 2017**, IN THE COUNTY OF HIDALGO AND STATE OF TEXAS, **JOSE ANTONIO VELA II** HEREINAFTER CALLED DEFENDANT, DID THEN AND THERE COMMIT THE OFFENSE OF **FALSE STATEMENT ON VOTER REGISTRATION APPLICATION – TEXAS ELECTION CODE 13.007 (a) (b) CLASS B MISDEMEANOR.....**

**TO WIT:** KNOWINGLY AND FALSELY REPORTED DEFENDANT'S RESIDENTIAL ADDRESS, ON DEFENDANT'S HIDALGO COUNTY VOTER REGISTRATION, AS 308 KEYSTONE IN EDINBURG, TEXAS, A RESIDENCE WHICH WAS NOT DEFENDANT'S PLACE OF RESIDENCE.

**PROBABLE CAUSE:** Affiant, John D. Waits, is a Peace Officer under the laws of the State of Texas, and is employed in good standing with the Texas Attorney General's Office, and is assigned to the Criminal Investigations Division, Election Fraud Unit in Austin, Texas as a Sergeant Investigator. Affiant has more than 28 years of law enforcement experience and training and has received specialized training and first-hand experience in election fraud criminal investigations. Affiant knows, based on Affiant's training and experience, that in order to qualify to vote in any election, a voter must establish a residence which is located within a precinct or geographic area covered by said election. Affiant knows that the Texas election code defines a residence as a domicile, that is, one's home and fixed place of habitation to which one intends to return after any temporary absence.

Affiant has received records from the Hidalgo County Elections Administration Office which reflect that on September 25, 2017, Defendant made application to change Defendant's residential address on Defendant's Texas voter registration account by completing and signing a Texas voter registration application marked as a change of address application, and on said voter registration change of address application showed Defendant's new residential address as 308 Keystone in Edinburg, Texas.

Affiant knows that 308 Keystone in Edinburg, Texas was not Defendant's residence when Defendant changed Defendant's voter registration address. Texas Department of Public Safety driver license records reflect that Defendant's residence is at an address of 217 West 11<sup>th</sup> Street in Mission, Texas. Affiant has obtained and reviewed records, including vehicle registration records, Texas Department of Public Safety driver license database, and other records which reflect that the 308 Keystone residence is the residence of Ludivina Leal, a white female, DOB: 05-20-1977. On May 10, 2018, Affiant traveled to 308 Keystone and interviewed Ludivina Leal. Ludivina Leal advised Affiant that Ludivina Leal was the primary resident at the 308 Keystone residence. Affiant was advised by Ludivina Leal that Defendant did not, and had never over the previous year, lived at, nor established the 308 Keystone residence in Edinburg as Defendant's residence.

**SUSPECT: JOSE ANTONIO VELA II**

**D.O.B.: [REDACTED]-1991**

AGAINST THE PEACE AND DIGNITY OF THE STATE.

John D. Watts  
AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME THIS 22<sup>nd</sup> DAY OF May, 2018.



Keno Vasquez  
Keno Vasquez, 398<sup>th</sup> District Judge